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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

BANXCORP.

Plaintiff,

v.

BANKRATE, INC.,

Defendant.

**DOCUMENT ELECTRONICALLY
FILED**

Civil Action No. 07-03398 (SDW)(MCA)

**STIPULATION AND ORDER
EXTENDING TIME TO ANSWER**

WHEREAS the Court entered an Opinion and Order on July 7, 2008 denying Defendant Bankrate, Inc.'s motion to dismiss the complaint and directing Plaintiff BanxCorp to file an amended complaint within 45 days;


WHEREAS Plaintiff BanxCorp filed a First Amended Complaint on August 21, 2008;

WHEREAS Defendant Bankrate filed a motion to dismiss the First Amended Complaint on September 30, 2008;

WHEREAS Plaintiff BanxCorp filed a Second Amended Complaint on October 31, 2008; and

WHEREAS Defendant Bankrate withdrew its motion to dismiss the First Amended Complaint on November 3, 2008:

IT IS HEREBY STIPULATED AND AGREED between the parties through their undersigned counsel that (i) Defendant Bankrate's time to answer or otherwise move in response to the Second Amended Complaint is extended until December 12, 2008; (ii) in the event that Defendant Bankrate files a motion to dismiss the Second Amended Complaint, Plaintiff BanxCorp shall have until January 16, 2009 to respond to such a motion; (iii) Defendant Bankrate shall have until January 30, 2009 to file a reply brief; and (iv) the return date on a motion to dismiss the Second Amended Complaint shall be February 9, 2009.



Craig Stuart Lanza, Esq.
Balestriere, PLLC
Counsel for BanxCorp



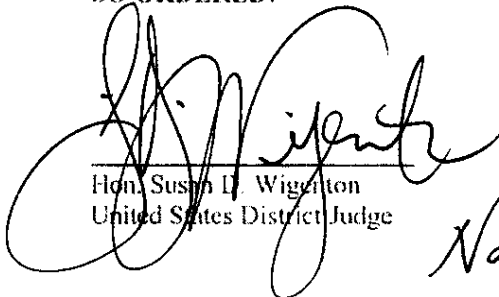
Date



R. Scott Thompson, Esq.
Lowenstein Sandler PC
Counsel for Bankrate, Inc.

Date

SO ORDERED:



Hon. Susan D. Wigenton
United States District Judge

November 19, 2008